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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER RYAN BUSBY,

Defendant.

Case No.: 2:15-cr-00353-GMN-NJK

**STIPULATION TO CONTINUE
EVIDENTIARY HEARING**

(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Nadia Ahmed, Assistant United States Attorney, and Angela Dows, Esq., counsel for the Defendant, Christopher Ryan Busby, that the evidentiary hearing regarding Defendant's Motion Pursuant to 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (ECF No. 184), currently set for February 29, 2024, be vacated and continued to a date and time convenient to the Court, but no sooner than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. On October 10, 2023, the Court issued an Order denying Busby's motion in part and preserving for evidentiary hearing certain of his claims relating to alleged ineffective assistance of his defense counsel (ECF No. 203).

1 2. Pursuant to the parties' request, the Court set the evidentiary hearing for
2 February 29, 2024. (ECF No. 207).

3 3. The Court ordered the parties to submit a joint preliminary brief listing the
4 witnesses the parties intend to call, and explaining the issues the parties intend to clarify and
5 develop at the hearing by February 16, 2024.

6 4. Both counsel for the government and counsel for the defendant are new to the
7 case in that neither were involved in the underlying litigation, trial, sentencing, or in
8 preparing the pleadings relating to the instant motion. Counsel for the defendant has
9 requested access to certain electronic discovery. From government counsel's consultation
10 with the law enforcement agents assigned to the case (who are also new) it may require a
11 new download of the devices and viewing at a law enforcement facility.

12 5. Counsel for the United States is currently out of the jurisdiction providing
13 care to a family member anticipated to pass away imminently but may not return to the
14 district for another week.

15 6. The defendant is in custody and agrees with the need for the continuance.

16 7. Additionally, denial of this request for continuance could result in a
17 miscarriage of justice.

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1 This is the first request for a continuance filed herein.

2 DATED this 8th day of February 2024.

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4 Respectfully submitted,

5 JASON M. FRIERSON
United States Attorney

6 /s/ Nadia J. Ahmed
7 NADIA J. AHMED
Assistant United States Attorney

/s/ Angela H. Dows
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Attorney for **CHRISTOPHER BUSBY**

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs.

6 CHRISTOPHER RYAN BUSBY,

7 Defendant.

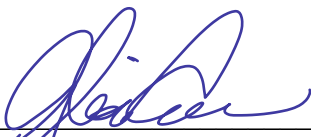
Case No.: 2:15-cr-00353-GMN-NJK

ORDER

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9 IT IS THEREFORE ORDERED that the evidentiary hearing scheduled for
10 Petitioner Christopher Ryan Busby's Motion to Vacate, Set Aside, or Correct Sentence
11 Under 28 U.S.C. § 2255 (ECF No. 184), currently scheduled for February 29, 2024, be
12 vacated and continued to May 1, 2024 at the hour of 9:00 a.m.

13 IT IS FURTHER ORDERED that the deadline for filing the joint preliminary brief
14 be continued to April 17, 2024.

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16 DATED this 9 day of February, 2024.

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20 HONORABLE GLORIA M. NAVARRO
21 UNITED STATES DISTRICT JUDGE
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